

Case 22-11068

Claimant Response - REDACTED

10/03/2024

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE**Date: 10/03/2024

Chapter 11

Case: 22-11068Debtors: FTX TRADING LTD., *et al.***Customer Claim – Response to Debtors**Claim # 96788 (*akin to # 94058 & # 89138*)**Served to:**

(a) Via PACER/post:

**Office of the Clerk of the United States Bankruptcy Court for the District of Delaware**

824 Market Street, 3rd Floor,

Wilmington, Delaware 19801

(b) via email:

**Sullivan & Cromwell LLP**

Attn: Alexa J. Kranzley (kranzleya@sullcrom.com)

**Landis Rath & Cobb LLP**

Attn: Adam G. Landis (landis@lrclaw.com) &amp; Kimberly A. Brown (brown@lrclaw.com)

**1. Request:**

As a claimant, upon filing I have requested to be contacted so as to provide additional information and assist with reconciliation efforts<sup>1</sup>. To no avail.

Absent of responses nor further contacts, I now expect inclusion into the schedule of 'Disputed claims' and/or 'Matters going forward' in advance of the final confirmation of the Restructuring Plan.

As I am aware of the sheer volume of claims and requests the Debtors and their agents have had to balance since petition as well as the significant constraints they have had to contend with, this is merely a request and pre-emptive response to ensure that as a claimant:

- My rights are preserved;
- Appropriate time & efforts for entitlement reconciliation and determination is allowed;
- Adequate financial provisions are factored into the Plan to satisfy related allowed amounts.

**2. Basis:**

As an early buyer of cryptocurrencies Ether (ETH) and Bitcoin (BTC), I have held a cold wallet for which I sought a custodian.

Aforementioned holdings have been entrusted with FTX and I have since had to sustain the hack of my own accounts (i.e. multiple hacks with a multitude of consequences).

<sup>1</sup> To note, despite motions to redact and protect customer information, a number of dockets include personal and sensitive individual customer information. Upon filing, I suggested the Debtors a dialogue under Rule of evidence 408 as a means of engagement. As to further filings, as has been unclear to what extent customer information was indeed sealed and/or redacted as appropriate, I have volunteered information to a minimum.

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I am not a US national and do not reside in the United States, I hence fall under the customer category that has been dubbed as "FTX.COM Customers".

In order for the related entitlements to be ascertained and further then to be scheduled into the FTX Recovery Trust and/or Debtors' plan, I sought and still seek cooperation from the Debtors, their successors (i.e. FTX Recovery Trust) and their .agents.

Where As:

- (a) The Debtors are themselves continuing investigations in order to further recoveries, they are busy retracing pre and post-petition transfers, and reserve their rights to action further litigations;
- (b) An additional Examiner's report has only recently been issued yet solely on a narrow scope focussing on US-based operations.

**Further investigations are required from this point of time in order to make a determination of my Entitlements notwithstanding**

- (c) It is blatantly clear significant customer's funds have been misappropriated by FTX Management without regards to adequate records or accountability. This means deep-dive investigations have been and will be required at times to identify specific pockets of assets and reconcile entitlements. The investigations required to resolve my entitlement remain reasonable.

**I have volunteered assistance to support the Debtors and their Agents so as to effectively and efficiently uncover relevant records.**

**This could be by way of discovery, court mediation and/or ad'hoc settlement discussions.**

**I respectfully request that:**

- 1. Appropriate financial provisions are scheduled into the Restructuring Plan in order to cover Entitlements;
- 2. Settlement discussions be engaged with the Debtors' agents;
- 3. As relevant, Inclusion into the "Matters going forward" Schedule

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**This is in respect of:**

**Claim #96788 -**

BTC

1 500

**Debtor:** FTX Trading Ltd.

**Status:** Filed, No response received; Not scheduled

**Akin to:**

**Claim #94058 -**

BTC

3 500

**Debtor:** FTX Trading Ltd.

**&**

**Claim #89138 -**

BTC

7 351

**Debtor:** West Realm Shires Services Inc

**Status:** Filed, Subject to Objection ( Docket 17633)

**"Reason:** The Claimant did not provide proper documentation to support the asserted customer entitlement claim.

Utilizing the information provided within the claim form and following a robust review of the books and records, the Debtors have not identified any liability owing to, or customer entitlement of, the claimant"

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**Customer Claim – Response to Debtors**

Claim # 96788 (*akin to # 94058 & # 89138*)



**Attn: Office of the Clerk**

You will find enclosed both a redacted and an unredacted copy of this document.

As relevant, I understand only the redacted copy will be filed on public dockets.

As a non US-resident, I have sent this as an electronic mail to paper document. An electronic copies of both the redacted and unredacted documents has been sent to the Office of the Clerk helpdesk email address (04 Oct 2024 @13.44pm

Should you require electronic copies to be resent, please do not hesitate to get in touch.



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